

Knobbe Martens Olson & Bear LLP

Don W. Martens
Gordon H. Olson
James B. Bader
Darrell L. Olson
William B. Bunker
William H. Nieman
Arthur S. Rose
James F. Lesniak
Ned A. Israelson
Drew S. Hamilton
Jerry T. Sewall
John B. Spanga, Jr.
Edward A. Schiatter
Gerard von Hoffmann
Joseph R. Re
Catherine J. Holland
John M. Carson
Karen Vogel Hell
Andrew H. Simpson
Jeffrey L. Van Hoosier
Daniel E. Altman
Marguerite L. Gunn
Stephen C. Jensen
Vito A. Canuso III
William H. Shreve
Lynda J. Zadra-Symant
Steven J. Natwicksky
Paul A. Stewart
Joseph F. Jennings
Craig S. Summers
AnneMarie Kaiser
Brennan R. Babcock
Thomas F. Smeagol, Jr.
Michael H. Trenholm
Diane M. Reed
Ronald J. Schogenbaum
John R. King
Frederick S. Berrela
Nancy W. Vencko
John P. Giezemann
Adel S. Akbari
Thomas R. Arno
David N. Wales
Daniel Hart, Ph.D.
Douglas G. Muehlhauser
Lori Lee Yamato
Michael K. Friedland
Dale C. Hunt, Ph.D.
Richard E. Campbell

Paul D. Tripodi II
Suzey R. Haigern
Lee W. Henderson, Ph.D.
Mark M. Abumari
Jon W. Gurka
John W. Holcomb
Joseph M. Reisman, Ph.D.
Michael L. Fuller
Eric M. Nelson
Mark R. Benedict, Ph.D.
Paul M. Conover
Robert J. Roby
Sabina H. Lee
Karelina A. Delaney
Joseph S. Cianfrani
William R. Zimmerman
Paul C. Steinhardt
Deborah S. Shepherd
James J. Mullin III, Ph.D.
Glen L. Nutall
Eric S. Furman, Ph.D.
Tirzah Abe Lowe
Sanjivpal S. Gill
Susan M. Nalland
James W. Hill, M.D.
Rose M. Thielesken, Ph.D.
Michael A. Gulliana
Mark J. Kertz
Rebinder N. Narula
Broca S. Ichikowitz, Ph.D.
Peter M. Midgley
Michael S. Okamoto
John M. Grover
Military K. De Merlier
Irfan A. Lateef
Sharon S. Ng
Mark J. Gallagher, Ph.D.
David G. Jankowski, Ph.D.
Brian C. Horne
Payson J. LeMellier
Sheila N. Swaroop
Ben A. Katzenellenbogen
Liada H. Liu
Andrew N. Merickel, Ph.D.
David L. Hauser
James F. Herkenhoff
Scott Lorad Murray
Andrew M. Douglas
Mark T. Morley

Intellectual Property Law

550 West C Street
Suite 1200
San Diego CA 92101
Tel 619-235-8550
Fax 619-235-0176
kmob.com

October 7, 2002

ORIGINAL WILL FOLLOW VIA:

- Mail
- Courier
- International Airmail
- Hand Delivery
- Will Not Follow
- With Enclosures
- Without Enclosures

Facsimile Transmittal Sheet

Confidentiality Notice:

The documents accompanying this facsimile transmission contain confidential information which may be legally privileged. The information is intended only for the use of the recipient named below. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us; any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited.

TO: Examiner Kumar, Art Unit 2631

OUR REFERENCE NO.: MTIPAT.186A

FIRM: U.S. Patent and Trademark Office

FACSIMILE TELEPHONE NO.: 703 872-9314

FROM: Richard E. Campbell

APPLICATION NO.: 09/457,207; FILING DATE: 12/07/99

TOTAL NUMBER OF PAGES: 10 (INCLUDING COVER SHEET)

IF YOU DID NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK IMMEDIATELY.

MESSAGE:

S:\DOCS\REC\FAX\PTO ART UNIT 2600.DOC\013102

Salma A. Moran, Ph.D.

Sam K. Tahmazian, Ph.D.

Christy L. Green

Jonathan A. Hyman

Curtis C. DcSler

Richard A. DeCristofaro

Joseph J. Malon, Ph.D.

Thomas P. Kozminski

Jeffrey A. Birchak

Sean M. Murray

Elenora Niu

Valerie L. Bracken

J. David Eversett

Johnfar K. Kerlee

Jeremy P. Sanders

Perry D. Oldham

Jeffry L. Hefner, Ph.D.

Russell M. Jeide

Abraham W. Chuang

Ryan N. Farr

Pui Tong Ho

Erik T. Anderson

John L. Palk

Eric K. Morton

Jesse A. Rothwell

Marc C. Baumgartner

Ray B. Hom

Daniel R. Klausner

Kyle F. Schlueter

Raphael A. Gutierrez

Demian K. Jackson

Nathan A. Engals

Gregory A. Hermanson

Raymond Chan

Zi Y. Wong

John N. Kandara

Matthew S. Bellinger

David K. Wiggles

Darryl H. Steensma, Ph.D.

Lauren Keller

Melissa J. Alman

Ted M. Gannon

Carol M. Fizel

José L. Villalba

Sheila R. Gibson

Andrew I. Kimmel

Milka Fukawa

Of Counsel
Louis J. Knobbe
Jerry R. Saller

Japanese Patent Att'y
Kenshiro Arai
Tomohisa Sugiyama

Korean Patent Att'y
Mincheol Choi
Heungsun Choi

Scientists & Engineers
(Non-Lawyers)

Raimond J. Sienkiewicz**
Khurram Rahman, Ph.D.
Jennifer Haynes, Ph. D.**
Tommy Y. Nagata
Che S. Choreskin, Ph.D.**
James W. Austay**
Jennifer Hayes**
Kirk E. Pastorian, Ph.D.**
Charles T. Ridgely
Connie C. Tong, Ph.D.**
Suzanne Jepson, Ph.D.**
Nira M. Brand**
Jeffrey A. Hopkins**
Tiffany C. Miller**
James W. Chang, Ph.D.**
Martha L. Gorday, Ph.D.**
W. Frank Daneror
Lang J. McHardy**
Karen J. Lenker
Chris Westberg, Ph.D.
Ed B. Ives, Ph.D.**
David C. Weber**

* A Professional Corporation
** Also Barrister At Law (Pro & Vice)
** U.S. Patent Agent
** Also Solicitor (in England)

RECEIVED
6/4/03

PATENT

Official

Case Docket No. MITEPT.186A
Date: June 4, 2003
Page 1

In re application of : Jeremy Vander Woude
 App. No. : 09/457,207
 Filed : December 7, 1999
 For : SYSTEM AND METHOD FOR
 TESTING A MODEM
 Examiner : Pankaj Kumar
 Art Unit : 2631

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to
 Examiner Pankaj Kumar, Fax No. 703-872-9314 of the
 USPTO on the date shown below.

June 4, 2003

(Date)

Richard E. Campbell, Reg. No. 34,790

COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

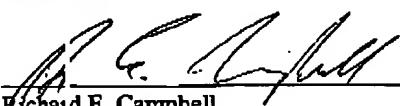
Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims 6	—	11	0 = × \$18	= \$0
Independent Claims 4	—	4	0 = × \$84	= \$0
If application has been amended to contain multiple dependent claim(s), then add			\$280	= \$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT				\$0

- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.
- (X) Please use Customer No. 20,995 for the correspondence address.



Richard E. Campbell
 Registration No. 34,790
 Attorney of Record
 Customer No. 20,995
 (619) 235-8550

RECEIVED
6/4/03

Official

MTIPAT.186A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9/c
TLR
6/12/03

Applicant	:	Jeremy Vander Woude	Group Art Unit 2631
Appl. No.	:	09/457,207	
Filed	:	December 7, 1999	
For	:	SYSTEM AND METHOD FOR TESTING A MODEM	
Examiner	:	Pankaj Kumar	

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated April 15, 2003, Applicant submits the following amendments and remarks.

Please amend the claims as follows: